

IPLM Group, P.A.
P.O. Box 18455
Minneapolis, MN 55418
612-331-7400 telephone
612-331-7401 facsimile

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PATENT

FACSIMILE TRANSMITTAL LETTER

MS: Amendment
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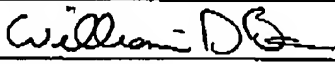

TOTAL NO. OF PAGES: 3
Sent to Facsimile No.: 703-872-9306
Examiner Phone No.: 571-272-4966

Attorney Docket No.	Serial No.
151P11699US01	10/698,344

In re Application of:	Ari Moskowitz et al.		
Serial No.:	10/698,344	Examiner:	Loan H. Thanh
Confirmation No.:	9684	Art Unit:	3763
Filed:	October 31, 2003		
For:	APPARATUS AND METHOD FOR RETROGRADE PLACEMENT OF SAGITTAL SINUS DRAINAGE CATHETER		
We are transmitting the following documents:			
Facsimile Transmittal Letter [1 page]			
Restriction Requirement [2 pages]			

Please charge Deposit Account 50-0549 for any fees under 37 CFR §1.16 and §1.17 that may be required during the pendency of this application. This authorization includes the fee for any extension of time under 37 CFR §1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested.

Respectfully submitted,

Registration No. 28,052	Direct Dial 612-331-7405	
Date: April 5, 2005	William D. Bauer	
United States Patent and Trademark Office		
Customer No. 23322		
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Pursuant to 37 CFR 1.8, I certify that this correspondence is being sent to the telephone number shown below, addressed to: MS: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.		
To Facsimile Number 703-872-9306	Signature 	
Date April 5, 2005	Printed Name Diane M. Wimperis	
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PATENT
Docket No.: 151-P-11699US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ari Moskowitz et al

Serial No.: 10/698,334
Filed: October 31, 2003
For: APPARATUS AND METHOD FOR
RETROGRADE PLACEMENT OF
SAGITTAL SINUS DRAINAGE
CATHETER

Group Art 3763
Unit:

Examiner: Thanh, Loan H.

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

This election is in response to an Office Action containing an Election/Restriction Requirement mailed March 10, 2005, carrying a shortened statutory period of response of one month expiring April 10, 2005.

Restriction

Restriction has been requested from among the following Groups of claims:

Group I: Claims 1 – 11, drawn to a method and a shunt; and

Group II: Claims 12 – 16, drawn to a catheter.

The asserted grounds for separating these groups are:

Inventions I and II are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are

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To Facsimile Number 703-872-9306	Signature <i>Diane Wimperis</i>
Date April 5, 2005	Diane Wimperis

USSN 10/698,334
Group Art Unit: 3763
Docket No. 151P11699US01

distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as infusing treatment material, draining materials or a straw for drinking.

While Applicant agrees that the claims of Group I are distinct and patentable over the claims of Group II, and vice versa, it is respectfully submitted that the inventions should, nevertheless, be examined together. Both inventions are classified in Class 604 and should be searchable together.

Nevertheless, applicant elects the claims of Group I, namely claims 1 - 11, with traverse. Reconsideration and withdrawal of the Restriction Requirement is respectfully requested.

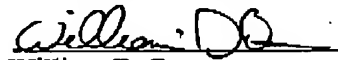
Summary

Favorable examination and allowance are respectfully requested. The Examiner is encouraged to telephone the undersigned attorney if there any questions regarding this application.

Respectfully Submitted,

ARI MOSKOWITZ ET AL.

April 5, 2005


William D. Bauer
Registration No. 28,052

IPLM Group, P.A.
Broadway Place West, Suite 6600
1300 Godward Street NE
Minneapolis, Minnesota 55413-1741
Telephone: 612-331-7405
Facsimile: 612-331-7401